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**ENGROSSED SENATE BILL 5161**

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**State of Washington**

**58th Legislature**

**2003 Regular Session**

**By** Senators Hewitt, Rasmussen, Honeyford, T. Sheldon, Hale, Hargrove, Horn, Haugen, Mulliken, Oke, Sheahan, Roach, McCaslin, Benton, Brandland, Deccio, Esser, Johnson, Parlette, Rossi and Schmidt

Read first time 01/16/2003. Referred to Committee on Commerce & Trade.

1 AN ACT Relating to ergonomics rules; and adding new sections to  
2 chapter 49.17 RCW.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 NEW SECTION. **Sec. 1.** A new section is added to chapter 49.17 RCW  
5 to read as follows:

6 Rules dealing with musculoskeletal disorders, filed on May 26,  
7 2000, by the director, and codified as WAC 296-62-05101 through 296-62-  
8 05176, shall have no force and effect, but shall remain in place for  
9 use only as voluntary guidelines for employers. The director shall not  
10 adopt any new or amended rules dealing with musculoskeletal disorders  
11 that are substantially the same as these rules until and unless  
12 required by congress or the federal occupational safety and health  
13 administration.

14 NEW SECTION. **Sec. 2.** A new section is added to chapter 49.17 RCW  
15 to read as follows:

16 The department of labor and industries shall:

1 (1) Establish an ergonomics resource center, to provide expertise  
2 and assistance to employers within the state of Washington who seek  
3 training, consultation, and technical assistance to comply with the  
4 ergonomics rule adopted by the department. To make ergonomics  
5 information widely available, the center shall partner with economic  
6 development councils, local chambers of commerce, and the Washington  
7 manufacturing service. The center shall develop industry-by-industry  
8 best-practices guides to assist businesses and workers in applying  
9 ergonomics in the workplace. The department shall consult with the  
10 Washington industrial safety and health act advisory committee and  
11 determine whether the resource center should rely upon a public-private  
12 partnership as its permanent organizational home;

13 (2) Create an ergonomics clearinghouse, to encourage businesses and  
14 workers to share proven methods of reducing hazards and preventing  
15 injuries. The clearinghouse shall expand the internet-based ergonomics  
16 ideas bank, and include compliance guides, checklists, tip sheets, and  
17 demonstration projects. The department shall encourage businesses,  
18 workers, and health and safety professionals to: (a) Provide  
19 information regarding hazard reduction and injury prevention for  
20 inclusion by the clearinghouse, and (b) apply such information in the  
21 workplace;

22 (3) Establish a small business ergonomics task force, in  
23 consultation with the governor's small business improvement council.  
24 The department and the task force shall produce a small business  
25 ergonomics assistance guide, make it readily available to businesses,  
26 and evaluate the effectiveness of the guide;

27 (4) Appoint an ergonomics ombudsman. Working with safety and  
28 health professionals, the ombudsman shall assist employers and  
29 employees with problems implementing the ergonomics rule in the  
30 workplace; and

31 (5) Establish by administrative rule a two-year demonstration  
32 project, providing ergonomic assistance awards as approved by the  
33 director, up to five thousand dollars per award, to small businesses  
34 seeking to reduce hazards and prevent injuries through application of  
35 the ergonomics rule, to wholly or partially offset the cost of  
36 ergonomics workplace improvement. The department shall provide up to

1 one million dollars out of existing resources to fund the awards. The  
2 department shall require an outside evaluation of the demonstration.

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